<u>REMARKS</u>

Applicants hereby add claims 64 - 65. Therefore, claims 46-49, 59-61 and 64-65 are

presently before the Examiner for consideration. Entry of the amendment is respectfully

requested.

As stated previously, Applicants' claims 46-49 and 59-61 are identical to claims 1-4 and

14-16 respectively, of U.S. Patent No. 6,591,196 to Yakhini et al ("Yakhini"), issued July 8,

2003. Applicants new claims 64 - 65 are identical to claims 1 to 2 of U.S. Patent No. 6,768,820

to Yakhini et al ("Yakhini"), issued July 27, 2004. These claims were copied after the previous

preliminary amendment was filed.

The amendments to the specification is being submitted, along with a Petition To Accept

An Unintentionally Delayed Claim Of Priority, and an Application Data Sheet to claim priority

under 35 U.S.C. § 120 of U.S. Patent Application No. 09/699,852 and its parent applications.

A Request for the Declaration of Interference is concurrently filed herewith.

Entry of the foregoing is respectfully requested.

No new fees are believed to be due with the filing of this document. However, the

Commissioner is hereby authorized to charge any fees which may be required, or credit any

overpayment to Deposit Account 01-0431.

Respectfully submitted,

AFFYMETRIX, INC.

Date: September 24, 2004

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